

Immigration and Refugee Board of Canada

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Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the [UNHCR's Refworld](#) website.

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Mali: Prevalence of forced marriages and the consequences of refusing
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

In 22 February 2007 correspondence sent to the Research Directorate, the President of the Malian Human Rights Association (Association malienne des droits de l'homme, AMDH), an organization affiliated with the International Federation for Human Rights (Fédération internationale des ligues des droits de l'homme, FIDH), indicated that forced marriages occur in Mali although they are prohibited under Malian law (22 Feb. 2007). He added, however, that they are not common practice, rather they are exceptions and do not represent even one percent of all marriages celebrated each year (22 Feb. 2007).

However, in 23 February 2007 correspondence sent to the Research Directorate, the acting president of the Association for the Progress and Defence of the Rights of Malian Women (Association pour le progrès et la défense des droits et des femmes maliennes, APDF) stated that [translation] "forced marriage is commonplace in Mali even though it is prohibited under the Malian marriage and guardianship code" (23 Feb. 2007). In addition, in 14 February 2007 correspondence, the President of the Sahel Association for Assistance for Women and Children (Association du Sahel d'aide à la femme et à l'enfance, ASSAFE), based in Bamako, stated that [translation] "Malian women get married very young and very often without their consent." He added that [translation] "they are often married at 12 years of age" (ASSAFE 14 Feb. 2007). Two other sources consulted by the Research Directorate indicate that early marriages, which are analogous to forced marriages, are widespread in Mali (UN 14 June 2005; Population Council Sept. 2005), despite being prohibited by law and punishable by one to five years imprisonment, or up to twenty years' imprisonment with ten years' hard labour if the girl is younger than 15 (UN 14 June 2005).

Forced marriages are arranged [translation] "outside of the civil status system, in the form of customary or religious marriages" (F&DH 2006) and, "very often, officials have no idea that the marriage is taking place without consent" (UN 14 June 2005). According to the acting president of the APDF, forced marriage is a [translation] "hidden practice," which is why there is little data on its prevalence (23 Feb. 2007).

However, some statistics quantifying the practice of forced marriage were found among the sources consulted by the Research Directorate. Most of the statistics come from the 2001 Demographic and Health Survey (Enquête démographique et de santé) conducted by the Malian Ministry of Health (Ministère de la Santé), but they could not be consulted directly. The President of the ASSAFE based the following comments on those statistics:

[translation]

The median age [of marriage in Mali] depends on the place of residence and other socio-demographic factors. In rural areas, the median age of the first marriage is 16.2 years, whereas in Bamako, it is 18.4 years. On average, 22 [percent] of Malian women are married by the age of 15. (14 Feb. 2007)

According to this study, which was cited in 2005 by the Population Council, early marriage is extremely prevalent in Kayes, where 39 percent of girls aged 20 to 24 were married before the age of 15, and 83 percent were married before the age of 18 (Sept. 2005).

According to Amnesty International (AI), 63 percent of Malian girls are married before they turn 18 (AI 5 Jan. 2005). Moreover, an article published in 2005 by the Integrated Regional Information Networks (IRIN) indicates that early marriage is still widespread in Kayes, where "the majority of the 13 and 14 year old girls are taken out of school to be married" (UN 14 June 2005).

According to the acting president of the APDF, forced marriage is particularly widespread in rural areas and among certain ethnic groups (23 Feb. 2007). An article in the Malian daily *L'Essor* draws a link between forced marriage and rural areas and describes members of the "Foulan Kiriabé;" ethnic group as being [translation] "the champions of the practice of forced marriage" (16 June 2005). The practice of forced marriage in rural areas is also illustrated by two reported cases in the villages of Diaguinde and Kayes (*L'Essor* 16 June 2005; *ibid.* 29 May 2006).

The following section is an excerpt from the 14 February 2007 correspondence from the President of the ASSAFE and addresses the consequences of a woman's refusing a forced marriage:

[translation]

The refusal of an early and forced marriage can have quite harmful consequences for girls, including:

- Psychological problems

Young girls who refuse to marry are often beaten and humiliated, and many of them develop personality disorders and lose their self-esteem. Some even commit suicide.

- Abuse

Abuse is very common. Children who refuse to marry are frequently punished, even brutalized and rejected by their families.

- Prostitution

Girls who refuse a marriage arranged by their parents often fall prey to prostitution. Once they no longer have their families to protect them, the girls end up working as household servants and are left with no parental control.

This plunges the young girls into extreme poverty, and the risk that they will enter the sex trade and be picked up by the mafia increases.

- Illness

The vulnerability of girls who refuse forced marriages is highlighted by the "boycott" that the families impose to compel them to marry. In other words, the parents no longer meet their basic needs. Girls attending school often stop going because their parents stop paying their school fees and parents no longer pay for their medical appointments and prescriptions. In short, girls are left to fend for themselves.

This information was partially corroborated by the acting president of the APDF, who stated that [translation] "rejection ..., delinquency, prostitution [and] having to drop out of school" are the price paid by girls who refuse a forced marriage (23 Feb. 2007). A 2006 article published by *L'Essor* cites the example of a young girl from Kayes who, in order to get out of a forced marriage, left her village and went to the capital of Bamako where she got involved in prostitution to pay for her housing (29 May 2006).

Two sources consulted by the Research Directorate give examples of cases in which, following mediation, families have abandoned the idea of a forced marriage for their daughter. An article in *L'Essor* cites the case of a 20-year-old girl from the village of Diaguinde, who left her family to escape a forced marriage seen as a way to prevent her from pursuing her studies and went to the Director of the Educational Development Centre (centre d'animation pédagogique, CAP) in Diema for protection (*L'Essor* 16 June 2005). A mediation team made up of administrative authorities, CAP agents and other key figures in Diema travelled to Diaguinde to talk to the village chief, the mayor, the teachers and the school's parents' association (ibid.). As a result of these discussions, the young girl's parents decided to delay their daughter's marriage so that she could continue going to school (ibid.). A United Nations Children's Fund (UNICEF) article also cites the example of a 17-year-old village girl who, at the age of 14, fled her village and moved to Bamako to escape a forced marriage (UN 20 June 2006). She went to the Mouso Danbe women's support centre, where she faced her father, who wanted to take her back to the village to marry her intended husband (ibid.). The centre's director acted as mediator (ibid.). In this case, mediation was successful; after the discussion, the father agreed to return to the village without his daughter (ibid.).

According to the President of the AMDH, a Malian woman who refuses a forced marriage can look to the courts for protection. However, concrete examples of recourse to the courts in such circumstances could not be found among the sources consulted by the Research Directorate.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

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Additional Sources Consulted

Internet sites, including: AllAfrica.com, Family Care International, Human Rights Watch (HRW), Measure DHS, *Nouvelle Libération*, Organisation mondiale contre la torture (OMCT), Réseau scientifique TERRA, United Nations Population Fund (UNFPA), United States Department of State, Women Living Under Muslim Laws.

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